

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit:

3618

James Paul McCarthy

Examiner:

Bridget D. Avery

Serial No.:

09/539,394

Filed:

March 31, 2000

For:

METHOD AND APPARATUS FOR CONTROLLING THE SPEED

OF AN ENGINE WITH A HYBRID ELECTRIC VEHICLE

Attorney Docket No.: 199-1452 / FMC 1591 PUS

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE Commissioner for Patents U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 SEP 2 5 2003 GROUP 3600

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and § 1.97-1.98, the references listed and identified on the attached Forms PTO/SB08A and SB08B are being submitted herewith for consideration by the Examiner.

The references listed were cited in a European Search Report, dated May 22, 2001; the Search Report is also enclosed. One reference, U.S. Patent No. 5,433,282, was previously submitted and considered by the Examiner.

While this Statement is being filed in compliance with the duty of disclosure, citation of the attached references is not to be construed as an admission that any of the reference(s) are "material" as defined under 37 C.F.R. § 1.56(b).

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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Marc F. Malooley
Name of Person Signing

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Atty Dkt No. 199-1452 / FMC 1591 PUS

S/N: 09/539,394

A copy of each reference listed on the attached Forms PTO/SB08A and SB08B is included herewith. Consideration and entry into the record of these references is respectfully requested.

Respectfully submitted,

James Paul McCarthy

Marc F. Malooley

Reg. No. 50,624

Attorney/Agent for Applicant

Date: September 19, 2003

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PTO/SB/08A (10-96) [MODIFIED] Approved for use through 10/31/99. OMB 0651-0031
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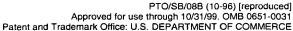
U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.1	U.S. PATENT DO	OCUMENT Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		5,258,651 A		Sherman	11-02-1993		
		4,621,541		Takahashi	11-11-1986		
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FOREIGN PATENT DOCUMENTS													
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considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents, ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



SEP 22 7003 E

Complete if Known stitute for Form 1449B/PTO **Application Number** 09/539,394 INFORMATION DISCLOSURE March 31, 2000 **Filing Date** STATEMENT BY APPLICANT **First Named Inventor** James Paul McCarthy 3618 Group Art Unit (use as many sheets as necessary) **Examiner Name** Bridget D. Avery Sheet 199-1452 / FMC 1592 PUS Attorney Docket Number

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. Examiner Τ² Initials Cite No.1 EUROPEAN SEARCH REPORT, DATED MAY 22, 2001, 2 PAGES RECEIVED **GROUP 3600**

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.